

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>LUCIEN STRONACH,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 2:16-cv-413-WKW-DAB</b>
	)	
<b>QUICKEN LOAN, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**REPORT and RECOMMENDATION**

This matter comes before the Court on the motion (Doc. No. 82) of Quicken Loans, Inc. to dismiss the action due to Plaintiff's failure to provide discovery as previously ordered by the Court (Doc. 80). Plaintiff has failed to respond to the motion to dismiss, and the time for response has passed. In ordering that the requested discovery be provided, the Court specifically warned Plaintiff that failure to do so could result in dismissal of the action. It is apparent that Plaintiff has abandoned prosecution of this action by failing to provide discovery, to obey Court orders and to respond to pending motions. Dismissal is appropriate and fully supported by Rule 37, Fed. R. Civ. Pro. And the inherent authority of the Court.

**CONCLUSION AND RECOMMENDATION**

Accordingly, for the reasons as stated, it is the **RECOMMENDATION** of the Magistrate Judge that the Motion to Dismiss be **GRANTED**, that the case be dismissed with prejudice (Defendant to be awarded its taxable costs) and that the Clerk be directed to close the docket.

It is **ORDERED** that the parties shall file any objections to the said Recommendation on or before **December 4, 2017**. Any objections filed must specifically identify the findings in the Magistrate Judge's Recommendation to which the party objects. Frivolous, conclusive or general objections will not be considered by the District Court. The parties are advised that this Recommendation is not a final order of the court and, therefore, it is not appealable.

Failure to file written objections to the proposed findings and recommendations in the Magistrate Judge's report shall bar the party from a *de novo* determination by the District Court of issues covered in the report and shall bar the party from attacking on appeal factual findings in the report accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982). *See Stein v. Reynolds Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982).

**RESPECTFULLY RECOMMENDED** this 20th day of November, 2017.

A handwritten signature in black ink, appearing to read "David A. Baker", is written over a horizontal line.

David A. Baker

United States Magistrate Judge